Amendments to the Drawings

The attached Replacement Drawing Sheet containing Fig. 22 replaces the previously-filed drawing sheet containing Fig. 22 of this Application. An annotated Drawing Sheet containing a marked-up version of the amended Fig. 22 is also attached.

Remarks

This Response is filed in reply to the Office action dated December 11, 2007. By this Response, Applicant has amended Claims 1 and 6. No new matter was added by this Amendment. Reexamination and reconsideration in view of the amendments and remarks contained herein are respectfully requested.

I.   Interview with Examiner

On January 25, 2008, Applicant conducted a telephone interview with the Examiner. The Examiner and Applicant discussed the rejection of claims 1-3 and 6-18 under U.S.C. 103(a) as being unpatentable.

An amendment to Claim 1 was discussed that further defines "precedence." The Examiner indicated that the inclusion of this additional language to Claim 1 may overcome the references used in the rejection.

II.   Objections to the Drawings

The drawings stand objected to due to informalities identified by the Examiner. Applicant has amended the identified informalities and corrected drawings sheets have been provided with this Amendment. Applicant respectfully requests withdrawal of the objection to the drawings.

III.   Claim Objections

Claim 6 was objected to because it depended from cancelled Claim 5. Claim 6 has been amended to correct this informality. Applicant respectfully requests withdrawal of the objection to Claim 6.

IV.   Claim Rejections – 35 U.S.C. 103(a)

A.   Claims 1-3, 6-9, and 13-18

Claims 1-3, 6-9, and 13-18 stand rejected as being unpatentable over U.S. Patent No. 6,006,242 issued to Poole et al. (hereinafter referred to as "Poole") in view of U.S. Published Patent Application No. 2003/0163809 issued to Bantz et al. (hereinafter referred to as "Bantz"), and further in view of U.S. Patent No. 7,168,035 issued to Bell et al. (hereinafter referred to as "Bell"). As discussed below in more detail, Poole, Bantz, and Bell taken alone or in

combination, do not teach or suggest applying precedence to matching document components as claimed.

Poole does not teach or suggest "a computer-implemented assembly facility including an XML processor configured to apply precedence . . . wherein precedence involves the XML processor **identifying two or more matching document components and automatically and dynamically choosing one of the matching components**" as recited in Claim 1. In contrast, Poole discloses resolving entity references by selecting the first matching identifier encountered in a catalog. As previously noted by the Applicant and the Office, Poole discloses that after a "document developer authors a document instance and associates entity references with the document instance…an entity reference is read from the document at step 123. One or more catalogs are searched at step 125 in order to match the entity reference with a corresponding entity identifier stored in a catalog. It is noted that more than one entity identifier and corresponding resolution strategy may be stored in one or more of the catalogs. <u>It is desirable that the resolution strategy of the first matching entity identifier in a catalog be executed</u>" (col. 6, lines 52-63, emphasis added).

Poole further discloses that the "Entity Manager 152 searches for the first occurrence of an entity identifier in the sequence of catalogs that matches the name of the entity reference resolved. Thus, the Entity Manager 152 <u>will implement the first resolution strategy it locates upon determining the occurrence of a matching condition</u>" (col. 16, lines 52-63 emphasis added).

Accordingly, Poole teaches attempting to match an entity reference specified by a document developer with an entity identifier in a catalog. When one or more catalogs include identical entity identifiers, the first matching entity identifier encountered is chosen. However, choosing the first matching identifier encountered is not applying precedence as it is defined in Claim 1. As described in the present application, the "document assembler pulls document components from the knowledge base that meet the requirements delivered to the document assembler. … In the event that the document assembler encounters two or more components in the knowledge base that meet the requirements of the needed document, the assembler chooses the document component according to the identity of the entity requesting the document, or, if no matching component is found, according to the identity of one of the entity's parents or ancestors. If no match is found, a default component is provided. This concept is referred to as

'precedence'" (page 3, paragraph 10). Therefore, applying precedence involves identifying two or more "matching" document components and dynamically choosing one of the "matching" components.

Accordingly, the resolution strategy disclosed in Poole, which only finds and selects the single, first matching entity identifier, cannot be considered "applying precedence," as recited in independent Claim 1, since applying precedence involves identifying two or more matching document components and automatically and dynamically choosing one of the matching document components.

Bantz does not cure the deficiencies of Poole with respect to applying precedence. Bantz discloses "a method, computer program product, and data processing system for providing automatic, mass-customized preparation of disk images" (abstract). In particular, Bantz discloses providing a "graphical user interface [that] allows the customer to choose among alternative software components to customize the disk image for his or her needs" (paragraph 21, lines 6-8). After the customer provides customer requirements, a "[p]rovisioning engine server 90 retrieves customer requirements…[and] consults knowledge bases 91, 92, and 93 to provide context for the analysis of customer requirements, and transmits a series of provisioning orders…to disk image manufacturing server 110 which will store them on disk 111" (paragraph 29, lines 1-7).

As disclosed in Bantz, "[d]isk image manufacturing server 110 creates disk images on disks 120, 121 and 122 in a manner responsive to the provisioning orders stored on disk 111 and to a knowledge base 112. Knowledge base 112 contains rules pertaining to the construction of disk images in general, as opposed to the knowledge bases 91, 92 and 93, which determine which components of software are to be included in the disk image" (paragraph 31, lines 1-8).

As disclosed in Bantz, rules "that may be found in knowledge base 92" can include if-then rules that specify which software should be chosen for the customer (paragraph 32, lines 1-7 and FIG. 3). Similarly, "rules that may be found in knowledge base 112, pertaining to the construction of disk images in general … specify where (in what subdirectory) and with what installation options the … software is to be generated into the disk image" (paragraph 34, lines 1-5). Clearly, Bantz discloses applying rules from one or more knowledge bases to customer

requirements in order to determine software and associated software options to be provided to a customer. However, Bantz makes no mention whatsoever of applying precedence to document content.

Therefore, as the Examiner admitted, "Poole et al and Bantz et al fail to specifically disclose wherein precedence involves identifying two or more matching document components and dynamically choosing one of the matching components." December 11, 2007, Office action, p.5.

The Examiner relies on Bell to teach wherein "precedence involves identifying two or more matching document components and dynamically choosing one of the matching components" as was recited in Claim 1. However, Claim 1 has been amended to require that "a computer-implemented assembly facility including an XML processor configured to apply precedence . . . wherein precedence involves **the XML processor** . . . **automatically and dynamically choosing one of the matching components**." As noted in Applicant's specification, a user does not sift through the hierarchy to select document components; precedence is applied to override objects of low precedence with objects of higher precedence automatically by an XML processor. Specification, ¶ 66; *see* also ¶ 64-65 and ¶ 67.

In contrast, Bell discloses a user-friendly application that allows a form designer to create electronic forms by selecting document components from a list of suggestions. Col. 1, lines 7-12. In particular, the application displays hierarchical data to a form designer. Col. 3, lines 3-27. The designer selects particular hierarchical data, and the application displays one or more suggested document components. Id. Each component illustrates a suggested format for the selected data. Id. The designer selects one of the components, and the application formats the hierarchical data based on the selected component and places the formatted data in an electronic form. Id.

The Bell patent only discloses selecting document components based on **user input** and does not teach or suggest "wherein precedence involves **the XML processor** . . . **automatically and dynamically choosing one of the matching components**." Thus, for at least these reasons, Applicant respectfully submits that Bell does not disclose applying precedence to document components as recited in Claim 1.

Therefore, Poole, Bantz, and Bell, taken alone or in combination, do not teach or suggest "a computer-implemented assembly facility including an <u>XML processor configured to apply precedence . . . wherein precedence involves the XML processor identifying two or more matching document components and automatically and</u> dynamically choosing one of the matching components" as recited in Claim 1.

Accordingly, for at least the reasons set out above, independent Claim 1 is allowable and dependent Claims 2, 3, and 6-18, which depend from independent Claim 1, are also allowable.

B.   Claims 10-12

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Poole, in view of Bantz and Bell, and in further view of U.S. Patent No. 5,630,127 issued to Moore et al. (hereinafter referred to as "Moore"). Claims 10-12 depend from independent Claim 1 and, therefore, are allowable for at least the reasons set forth above with respect to Claim 1.

V.   Conclusion

In light of the above, Applicant believes that the application is in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. Applicant also requests that the Examiner telephone the attorneys of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,

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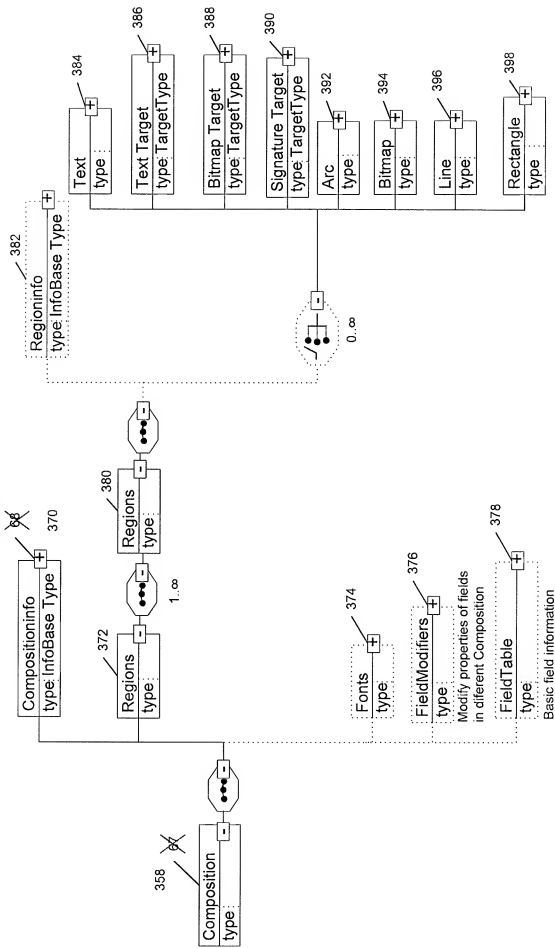312.222.0800

ANNOTATED SHEET

Fig. 22